

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

| | | |
|------------------------------|---|--------------------|
| GARY L. SPIKES, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. CIV-05-369-FHS |
| |) | |
| MICHAEL J. ASTRUE, |) | |
| Commissioner Social Security |) | |
| Administration, |) | |
| |) | |
| Defendant. |) | |

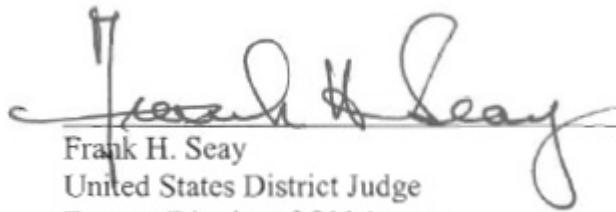
ORDER

On October 15, 2007, the United States Magistrate Judge for this District filed Findings and Recommendations in this case. No objection to those findings were filed. Accordingly, the court deems the findings as confessed.

The Findings and Recommendations suggest that the case be **REVERSED AND REMANDED** for further administrative proceedings. This Court finds the Findings of the Magistrate Judge applied the proper standards and documents numerous references to the record which support the recommendation of the Magistrate Judge that the Commissioner's decision be **REVERSED AND REMANDED**.

Upon consideration of the entire record and the issues herein, this Court finds and orders that the Findings and Recommendations of the United States Magistrate Judge be **SUSTAINED** and adopted by this Court as this Court's Findings and Order. Accordingly, this case is **REVERSED AND REMANDED** to the defendant under the fourth sentence of 42 U.S.C. §405(g) for proceedings consistent with this order.

IT IS SO ORDERED this 6th day of November, 2007.

A handwritten signature in black ink, appearing to read "Frank H. Seay", written over a horizontal line.

Frank H. Seay
United States District Judge
Eastern District of Oklahoma